**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.335 OF 2007

Mr.Prakash Gadodia. ..Petitioner.

**Versus**

1. M/s.Alfa Lamination, &
2. State of Maharashtra. ..Respondents.

..

Mr.Ankit Vagal, Adv. i/b. M/s.Leroy Collaco & Asso., for the Petitioner.
Mr.Sandeep Velkar, Adv. for Respondent No.1.
Mrs.A.S.Pai, APP, for Respondent No.2-State.

..

**CORAM : SMT.V.K.TAHILRAMANI,J.**
**DATED : DECEMBER 07, 2007.**

P.C.:

1. Heard the learned Advocate for the petitioner-orig.accused No.2, the learned Advocate for respondent No.1-orig.complainant, and the learned APP for the State.

2. The petitioner-orig.accused No.2 has preferred this Petition for quashing of proceedings relating to C.C.No.1080/C of 2002, which is pending before the learned M.M., Vikhroli, Mumbai. The said case is under Section 138 of N.I.Act.

3. The learned Advocate for the petitioner-orig.accused No.2 as well as the learned Advocate for respondent No.1-orig.complainant state that during pendency of the proceedings before the trial Court, the

parties have arrived at a settlement and they have entered into a memorandum of understanding, a copy of which is tendered in Court today. The copy of the said memorandum of understanding is taken on record and marked as "X" for identification.

4. The entire amount relating to the cheques which have been dishonoured has already been paid to the orig.complainant. The parties have amicably settled the dispute amongst themselves. The learned Advocate for respondent No.1-orig.complainant states that the complainant does not wish to pursue the complaint.

5. Looking to the fact that the parties have amicably settled the matter amongst themselves and the fact that the complainant does not wish to pursue the complaint, I am of the opinion that no purpose would be served by continuing the proceedings in the above case. Hence, C.C.No.1080/C of 2002, which is pending before the learned M.M., Vikhroli, Mumbai and the proceedings relating thereto are quashed.

6. Petition is disposed of accordingly.

**(SMT.V.K.TAHILRAMANI,J.)**